

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JAMES MAYEN MAYEN,

Petitioner

v.

U.S. ICE, *et al.*,

Respondents

Civil No. 3:20-cv-282

(Judge Mariani)

**FILED**  
**SCRANTON**

FEB 24 2022

Per   
DEPUTY CLERK

**MEMORANDUM**

**I. Background**

On or about February 11, 2020, Petitioner James Mayen Mayen ("Petitioner"), filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 challenging his continued detention by the United States Immigration and Customs Enforcement ("ICE"). (Doc. 1). For relief, Petitioner requested a bond hearing and release from custody. (*Id.* at p. 8). At the time his petition was filed, Petitioner was detained at the York County Prison, in York, Pennsylvania.

In an effort to ascertain the custodial status of Petitioner, the Court accessed the ICE Online Detainee Locator System, which revealed no matches for detainee James Mayen Mayen.<sup>1</sup> The Court also accessed the Victim Information and Notification Everyday portal

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<sup>1</sup> Upon entering Petitioner's alien registration number, A200732212, and his country of birth, Sudan, into the Online Detainee Locator System, see <https://locator.ice.gov/odls/homePage.do> (last accessed February 23, 2022), the results returned no matches for any such detainee.

("VINELink"), which confirmed that Petitioner has been released from custody.<sup>2</sup> For the reasons set forth below, the Court will dismiss the habeas petition as moot.

## II. Discussion

Article III of the Constitution dictates that a federal court may adjudicate "only actual, ongoing cases or controversies." *Lewis v. Continental Bank Corp.*, 494 U.S. 472, 477 (1990); *Burkey v. Marberry*, 556 F.3d 142, 147 (3d Cir. 2009). "[A] petition for habeas corpus relief generally becomes moot when a prisoner is released from custody before the court has addressed the merits of the petition." *Diaz-Cabrera v. Sabol*, 2011 U.S. Dist. LEXIS 124195, \*3 (M.D. Pa. 2011) (quoting *Lane v. Williams*, 455 U.S. 624, 631 (1982)). Thus, when a petitioner, who challenges only his ICE detention pending removal and not the validity of the removal order itself, is released from custody, the petition becomes moot because the petitioner has achieved the relief sought. See *DeFoy v. McCullough*, 393 F.3d 439, 441 (3d Cir. 2005) ("[A] petition for habeas corpus relief generally becomes moot when a prisoner is released from custody before the court has addressed the merits of the petition.").

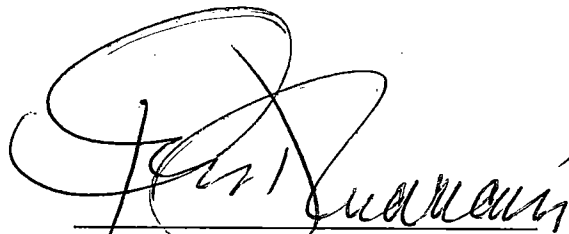
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<sup>2</sup> Upon entering Petitioner's identifying information into the VINELink online inmate locator system, see <https://vinelink.com/#/search> (last accessed February 23, 2022), his status was returned as follows:

Offender Name: Mayen, James  
Custody Status: Out of Custody  
Reason: Paroled

In the present case, Petitioner sought a bond hearing and release from custody. (See Doc. 1). Because Petitioner has since been released from custody, the petition no longer presents an existing case or controversy. See *Spencer v. Kemna*, 523 U.S. 1 (1998) (dismissing habeas petition as moot where petitioner challenged the failure to be released on parole and was subsequently released on parole); *Nunes v. Decker*, 480 F. App'x 173, 175 (3d Cir. 2012) (holding that petitioner's release from immigration detention on an order of supervision rendered his § 2241 habeas petition moot). Further, Petitioner has received the relief he sought, namely, release from custody. See *Nunes*, 480 F. App'x 173 (ruling that conditional release pending removal rendered the habeas petition moot); see also *Sanchez v. Attorney General*, 146 F. App'x 547, 549 (3d Cir. 2005) (holding that the habeas petition challenging the petitioner's continued detention by ICE was rendered moot once the petitioner was released). Consequently, the instant habeas corpus petition will be dismissed as moot. See *Blanciak v. Allegheny Ludlum Corp.*, 77 F.3d 690, 698-99 (3d Cir. 1996) ("If developments occur during the course of adjudication that eliminate a plaintiff's personal stake in the outcome of a suit or prevent a court from being able to grant the requested relief, the case must be dismissed as moot.").

A separate Order shall issue.



Robert D. Mariani  
United States District Judge

Dated: February 24, 2022